

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

2020 JUL -2 PM 2:33  
US DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO, FLORIDA

FILED

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 6:20-cv- 1184-ORL-31EJK

\$39,422 IN U.S. CURRENCY,

Defendant.

**VERIFIED COMPLAINT FOR FORFEITURE *IN REM***

The United States of America brings this complaint and alleges upon information and belief, in accordance with Supp'l Rule G(2), Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, as follows:

**NATURE OF THE ACTION**

1. This is a civil action *in rem* to forfeit to the United States of America, pursuant to 21 U.S.C. § 881(a)(6), approximately \$39,422 in currency (Defendant Funds) seized from Javonte Deaverner Richardson at the Orlando International Airport.

**JURISDICTION AND VENUE**

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1345, which provides the Court with jurisdiction over

all civil actions commenced by the United States, and pursuant to 28 U.S.C. § 1355, which provides the Court with jurisdiction over actions to recover or enforce forfeitures.

3. This Court has *in rem* jurisdiction over the Defendant Funds because venue properly lies in the Middle District of Florida pursuant to 28 U.S.C. § 1395.

4. Venue is proper in the United States District Court for the Middle District of Florida, pursuant to 28 U.S.C. § 1395(b), because the Defendant Funds were found and seized in this district.

**THE DEFENDANT *IN REM***

5. The Defendant Funds consist of approximately \$39,422 in United States currency seized from Javonte Deaverner Richardson on February 25, 2020 at Orlando International Airport by law enforcement officers who determined that there was probable cause to believe that the Defendant Funds constituted: (1) money furnished or intended to be furnished by a person in exchange for a controlled substance in violation of the Controlled Substances Act; (2) proceeds traceable to such an exchange; or (3) money used or intended to be used to facilitate a violation of the Controlled Substances Act.

6. Homeland Security Investigations (HSI) took custody of the Defendant Funds, which remain in the custody of the United States. As set forth in Supp'l Rule G(3)(b)(i), the Clerk of Court must issue a warrant to arrest the Defendant Funds if they are in the government's possession, custody, or control.

### **BASIS FOR FORFEITURE**

7. The Defendant Funds are subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6) because they constitute: (1) money furnished or intended to be furnished by a person in exchange for a controlled substance in violation of the Controlled Substances Act; (2) proceeds traceable to such an exchange; or (3) money used or intended to be used to facilitate a violation of the Controlled Substances Act.

### **FACTS**

8. The facts and circumstances supporting the forfeiture of the Defendant Funds have been provided by HSI Special Agent John Kaufman, who states as follows.

#### **I. Richardson's 2016 Marijuana Arrest and Conviction**

9. On February 20, 2016, Richardson was stopped for speeding in Tallahassee, Florida. While the officer was speaking with Richardson, he

smelled marijuana. For this reason, the vehicle was searched. During the search, law enforcement officers found marijuana throughout the vehicle. Officers also found a digital scale covered in marijuana residue, along with a box of empty sandwich bags (commonly used by dealers to package marijuana for resale). Officers arrested Richardson and placed him in the back of a police cruiser. While in the police vehicle, Richardson disposed of a baggie of marijuana that he possessed. Richardson was later charged and adjudicated guilty of misdemeanor possession of marijuana and possession and/or use of narcotic equipment.

## **II. 2017 Delivery of Marijuana to Richardson's Residence**

10. On September 22, 2017, law enforcement agents encountered a United States Postal mail package addressed to "Jamie Roses" at a townhouse located on Airport Drive in Tallahassee, Florida. The package contained several pounds of marijuana. Law enforcement officers took the package to the Airport Drive address and knocked on the front door. Moments later, Richardson exited the garage. The officers spoke with Richardson and asked if "Jamie Roses" lived there. Richardson stated that he was the only one who lived at the residence.

11. Once law enforcement confirmed Richardson's identity, it was discovered that he had an outstanding warrant for an unrelated felony. As a result, Richardson was arrested. A search incident to his arrest revealed he was carrying \$4,274.

### **III. Seizure of Defendant Funds at Orlando International Airport**

12. On Tuesday, February 25, 2020, Richardson was ticketed to fly on American Airlines flight 219 from Orlando, Florida to Los Angeles, California at approximately 5:05 p.m. California is a known source state for controlled substances.

13. Richardson had booked his one-way ticket to California just two days earlier—on February 23, 2020. Drug traffickers often purchase one-way tickets shortly before they are to travel since the drug trade is unpredictable.

14. While conducting interdiction operations at Richardson's gate, law enforcement officers noticed Richardson due to his nervous behavior – repeatedly walking back and forth past his gate, while continuously checking out his surroundings.

15. As a result, two law enforcement officers in plain clothes approached Richardson. Both officers identified themselves by showing

Richardson their credentials, and asked to speak with him. Richardson agreed to speak with agents.

16. Richardson retrieved his boarding pass and Florida Driver's license from a satchel that he was wearing around his neck. His Florida Driver's license listed Richardson's address as a residence on Dr. Martin Luther King St. in Dundee, FL. Below is a photograph of the residence located at that address.



17. When Richardson opened the satchel, Metropolitan Bureau of Investigation Agent Josh Evans smelled marijuana. Agent Evans asked Richardson if he had either smoked marijuana or been around marijuana earlier in the day. Richardson admitted that he had smoked marijuana earlier in the day, and further admitted that he did not possess a medical marijuana card. He did, however, show officers a membership card to a marijuana dispensary in California.

18. Agent Evans then asked if Richardson was carrying any money. Richardson stated that he was, but claimed he did not know how much. Agent Evans asked for permission to search Richardson's carry-on bag and satchel and Richardson consented.

19. Agent Evans started to search Richardson's carry-on bag, but then asked for Richardson to retrieve the money for him. Richardson then pulled out seven bundles of cash from his satchel. Agent Evans detected the odor of marijuana on the money. Agent Evans also noticed that the currency was bundled by different colored rubber bands and consisted of \$100 and \$20 bills. Drug traffickers often transport cash in rubber-banded bundles, which allows for easy counting.

20. Agent Evans asked Richardson how much currency he was carrying, and Richardson said it was \$20,000. Richardson later said that he was carrying around \$31,000-\$32,000. He also provided varying stories about what he was going to use the funds for once he got to California.

21. Agent Evans found another four bundles of currency banded with different color rubber bands inside an inner pocket of Richardson's satchel. The currency consisted of \$100, \$50, and \$20 bills. Agent Evans also

found a few loose bills in the main pocket of the satchel. All of currency smelled of marijuana.

22. The following day, a properly trained narcotics detection dog, “Gabi,” positively alerted to the presence of the odor of drugs on the Defendant Funds. Gabi is trained to detect the odor of cocaine, heroin, marijuana, MDMA, and methamphetamine.

23. Individuals who handle controlled substances often get traces of the substances on their hands and clothing. These trace amounts of a controlled substance can easily be spread to other items the individual touches such as currency. A positive alert to U.S. currency by a properly trained dog indicates that the currency had either been handled by someone who had trace amounts of a controlled substance on their hands, or the currency had recently been in close proximity to a controlled substance.

24. The seized currency totaled \$39,422. The money was comprised of:

309	\$100 bills
99	\$50 bills
177	\$20 bills
1	\$10 bills
3	\$5 bills
7	\$1 bills



#### **IV. Recorded Statements of Richardson**

25. After the currency was seized, video recordings of Richardson were discovered on YouTube (an online video-sharing platform). In these recordings, Richardson brags of making money selling drugs. Richardson can be heard boasting “*moving dope, selling weed, getting money, that’s the game . . . moving weight . . . I got 50 pounds in my backpack . . . I’m the dope man, pill man, weed man.*” In the videos, Richardson can be seen with bags of marijuana, currency, and a firearm. The following are taken from screen shots of the videos:



#### **V. Facebook Posts**

26. Additional video recordings of Richardson were discovered on Facebook (an online social media and social networking service). In these recordings, Richardson poses with what clearly appears to be distribution quantities of marijuana and large quantities of United States currency. The following are screen shots of portions of the videos showing Richardson with

distribution quantities of marijuana:



27. The following are screen shots of portions of the videos showing Richardson with large quantities of currency:



## **VI. Lack of Income**

28. In 2014, Richardson was adjudicated guilty in the Tenth Judicial Circuit, Polk County of attempted burglary of a dwelling, grand theft of a firearm, and engaging in a scheme to defraud. These charges were in relation



to Richardson breaking into a home and stealing cash, personal checks, and a firearm. In order to determine if Richardson qualified for court appointed counsel, he was required to submit a financial affidavit. In an affidavit, which was signed under oath on April 12, 2014, Richardson indicated that he had no income and no assets.

27. Records from the State of Florida indicate that the only recent wages for Richardson were in 2016— when he earned \$63.00.

### **CONCLUSION**

28. As required by Supp'l Rule G(2)(f), the facts set forth herein support a reasonable belief that the government will be able to meet its burden of proof at trial. Specifically, probable cause exists to believe that the Defendant Funds constitute: (1) money furnished or intended to be furnished by a person in exchange for a controlled substance in violation of the Controlled Substances Act; (2) proceeds traceable to such an exchange; or (3) money used or intended to be used to facilitate a violation of the Controlled Substances Act and are therefore subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

WHEREFORE, pursuant to Supp'l Rule G, Plaintiff United States of America respectfully requests that process of forfeiture be issued against the

Defendant Funds; that due notice be given to all interested parties to appear and show cause why the forfeiture should not be decreed; that the Defendant Funds be forfeited to the United States for disposition according to law; and that the United States have such other and further relief as this case may require.

Dated: July 2, 2020

Respectfully submitted,

MARIA CHAPA LOPEZ  
United States Attorney

By:



Nicole M. Andrejko  
Assistant United States Attorney  
Florida Bar No. 0820601  
400 West Washington Street, Suite 3100  
Orlando, Florida 32801  
Telephone: (407) 648-7500  
Facsimile: (407) 648-7643  
E-Mail: [Nicole.Andrejko@usdoj.gov](mailto:Nicole.Andrejko@usdoj.gov)

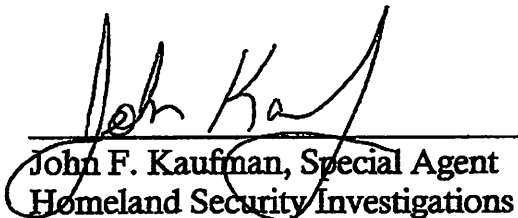
**VERIFICATION**

I, John F. Kaufman, hereby verify and declare under penalty of perjury, that I am a Special Agent with the Homeland Security investigations, and pursuant to 28 U.S.C. § 1746, that I have read the foregoing Verified Complaint for Forfeiture *in Rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge and belief.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case together with other HSI Special Agents and Task Force Officers.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Executed this 1 day of July, 2020.

  
John F. Kaufman, Special Agent  
Homeland Security Investigations

JS 44 (Rev. 11/15)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

United States of America

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

**DEFENDANTS**

\$39,422 in U.S. Currency

County of Residence of First Listed Defendant Orange  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RS1 (405(g))
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
			<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
21 U.S.C. 881(a)(6)

Brief description of cause:  
proceeds traceable to and/or money used or intended to be used to facilitate a violation of 21 U.S.C. §§ 841 & 846

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE